## REMARKS/ARGUMENTS

Claims 1-9 and 29-44 are pending in the present application. In this amendment, Applicants have added claims 29-44, amended claims 1-2, 7, and 9, and canceled claims 10-28 from further consideration in this application. Applicants are not conceding that the subject matter encompassed by claims 1-2, 7, and 9-28, prior to this Amendment, is not patentable over the art cited by the Examiner. Claims 1-2, 7, and 9 were amended and claims 10-28 were canceled in this Amendment solely to facilitate expeditious prosecution of the application. Applicants respectfully reserve the right to pursue claims, including the subject matter encompassed by claims 1-2, 7, and 9-28 as presented prior to this Amendment and additional claims in one or more continuing applications. Reconsideration of the claims is respectfully requested.

### I. 35 U.S.C. § 103, Obviousness

The examiner has rejected claims 1-22 and 24-28 under 35 U.S.C. § 103 as being unpatentable over Hu (U.S. Patent Number 5,586,260), (hereinafter "*Hu*") in view of Waite et al. (U.S. Patent Number 5,103,476), (hereinafter "*Waite*"), and further in view of Sayle (U.S. Patent Number 6,356,863), (hereinafter "*Sayle*"). This rejection is respectfully traversed.

Applicants have amended claim 1 to recite:

> A method in a multi-partitioned computer for managing operating systems, the method comprising:
>
> receiving, by the multi-partitioned computer that is concurrently executing a plurality of different operating systems, a request from a particular operating system during the loading of the particular operating system in the multi-partitioned computer to register the particular operating system for access to hardware in the multi-partitioned computer, wherein the request includes a key code for the particular operating system;
>
> responsive to receiving the request, determining whether the particular operating system is an authorized operating system using the key code; and
>
> registering the particular operating system if the particular operating system is an authorized operating system.

The combination of *Hu*, *Waite*, and *Sayle* does not render Applicants' claims obvious because the combination does not teach or suggest a multi-partitioned computer that is concurrently executing a plurality of different operating systems.

*Hu* discloses authenticating a client and server when the client and server have different security mechanisms. *Hu* teaches a security mechanism whereby a client is authenticated before gaining access to

services from a server, including access to a database or other file system, access to printers, or access to other computing resources. The client is a "computer". The server is a "computer". Nothing in *Hu* teaches or suggests either the client or the server concurrently executing a plurality of different operating systems. Therefore, *Hu* does not teach "the multi-partitioned computer that is concurrently executing a plurality of different operating systems" as claimed by Applicants.

*Waite* teaches a PC 10, which includes operating system 14 and a computer 12. Neither PC 10 nor computer 12 concurrently executes a plurality of different operating systems.

*Sayle* teaches an operating system 20 running on a computer, and an operating system 80 running on a different computer. *Sayle* does not teach one of the computers concurrently executing a plurality of different operating systems.

Because none of the references teach "the multi-partitioned computer that is concurrently executing a plurality of different operating systems," the combination does not render claim 1, or the claims that depend from claim 1, obvious.

The combination of *Hu*, *Waite*, and *Sayle* also does not render Applicants' claim 1 obvious because the combination does not teach or suggest receiving a request from a particular operating system during the loading of the particular operating system in the multi-partitioned computer to register the particular operating system for access to hardware in the multi-partitioned computer. The references are silent on this point.

*Hu* does not include the term "operating system" or an equivalent word. Therefore, *Hu* does not teach loading an operating system. Further, *Hu* does not teach receiving a request during the loading of the operating system. *Hu* also does not teach receiving a request from a particular operating system during the loading of the particular operating system. *Hu* does not teach receiving the request to register the particular operating system.

*Waite* discloses a system for activating programs in a personal computer by inserting missing critical portions of the program. *Waite* teaches an operating system, and also teaches the operating system loading the program and a loader segment, which executes before program instructions. *Waite* does not receive a request from a particular operating system during the loading of the particular operating system in the multi-partitioned computer to register the particular operating system for access to hardware in the multi-partitioned computer. An operating system loading a program and loader segment does not teach loading an operating system.

*Sayle* teaches a virtual file server that manages databases. *Sayle* also teaches the content data of a virtual file being generated in real time by utilizing a plug-in function. When a server first starts up, it locates and dynamically links in virtual file system "plug-ins". Thus, *Sayle* teaches loading a plug-in.

*Sayle* does not, however, teach loading an operating system. *Sayle* does not teach receiving a request from a particular operating system during the loading of the particular operating system in the multi-partitioned computer to register the particular operating system for access to hardware in the multi-partitioned computer.

Therefore, the combination *Hu*, *Waite*, and *Sayle* does not render Applicants' claim 1, or the claims that depend from claim 1 obvious.

Applicants have added claim 29, which recites:

> A method in a multi-partitioned computer for managing operating systems, the method comprising:
>
> receiving a request from an operating system during the loading of the operating system in the multi-partitioned computer to register for access to hardware in the multi-partitioned computer, wherein the request includes a key code for the operating system;
>
> responsive to receiving the request, using the key code to determine whether the operating system is an authorized operating system; and
>
> registering the operating system if the operating system is an authorized operating system, wherein the operating system can access the hardware only if the operating system is registered.

As discussed above, nothing in the cited references teaches or suggests receiving a request from an operating system during the loading of the operating system in the multi-partitioned computer to register for access to hardware in the multi-partitioned computer, wherein the request includes a key code for the operating system. Therefore, the combination *Hu*, *Waite*, and *Sayle* does not render Applicants' claim 29, or the claims that depend from claim 29 obvious.

Applicants have added claim 37, which recites:

> A method in a multi-partitioned computer for managing operating systems, the method comprising:
>
> receiving a request from an operating system during the loading of the operating system in the multi-partitioned computer to register for access to hardware in the multi-partitioned computer;
>
> determining whether the operating system includes a key code;
>
> responsive to determining that the operating system does not include a key code, terminating the operating system;
>
> responsive to determining that the operating system includes a key code, using the key code to determine whether the operating system is an authorized operating system; and

registering the operating system if the operating system is an authorized operating system, wherein the operating system can access the hardware only if the operating system is registered.

As discussed above, nothing in the cited references teaches or suggests receiving a request from an operating system during the loading of the operating system in the multi-partitioned computer to register for access to hardware in the multi-partitioned computer. Therefore, the combination *Hu*, *Waite*, and *Sayle* does not render Applicants' claim 37, or the claims that depend from claim 37, obvious.

The Examiner relies on *Hu* to teach an access key. *Hu* does not, however, teach the combination of determining whether the operating system includes a key code; responsive to determining that the operating system does not include a key code, terminating the operating system; and responsive to determining that the operating system includes a key code, using the key code to determine whether the operating system is an authorized operating system. Therefore, the combination *Hu*, *Waite*, and *Sayle* does not render Applicants' claim 37, or the claims that depend from claim 37, obvious.

## II. Conclusion

It is respectfully urged that the subject application is patentable the cited references and is now in condition for allowance.

The examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

DATE: April 28, 2008

Respectfully submitted,

/Lisa L.B. Yociss/

Lisa L.B. Yociss
Reg. No. 36,975
Yee & Associates, P.C.
P.O. Box 802333
Dallas, TX 75380
(972) 385-8777
Attorney for Applicants